

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

24-33370 BKMFR01
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Discover Bank

In Re:

SEAN R DAUTRECHY AKA SEAN RYAN
D'AUTRECHY AND ALYSSA A DAUTRECHY AKA
ALYSSA ASHLEY D'AUTRECHY AKA ALYSSA
DUNNET



Order Filed on May 14, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 23-21801-JNP

Hearing Date: May 6, 2025

Judge: JERROLD N.
POSUSNY, JR

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through d (4) is **ORDERED**.

DATED: May 14, 2025

A handwritten signature in black ink, appearing to read "J. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Applicant:	<u>Discover Bank</u>
Applicant's Counsel:	<u>Kimberly A. Wilson, Esquire</u>
Debtors' Counsel:	<u>Lee Martin Perlman, Esquire</u>
Property Involved ("Collateral"):	<u>36 Bettelwood Rd, Evesham, NJ 08053</u>

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtors' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtors are overdue for 4 months, from January 7, 2025 to April 7, 2025.
- ☒ The Debtors are overdue for 4 payments at \$462.33 per month.
- ☐ The Debtors are assessed for _____ late charges at \$ _____ per month.
- ☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.

Total Arrearages Due: \$1,849.32

2. Debtors must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$ _____. Payment shall be made no later than _____.
- ☒ Beginning on May 7, 2025, regular monthly mortgage payments in the amount of \$462.33 shall resume.
- ☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.
- ☒ The amount of \$1,849.32 shall be capitalized in the Debtors' Chapter 13 plan. Debtors shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following address:

☐ Immediate payment:

☒ Regular monthly payment:

Attn: Bankruptcy Dept | 1 Corporate Drive, Ste
360
Lake Zurich, IL 60047

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtors fail to make any regular monthly payment within thirty (30) days of the date it becomes due, or fails to amend the Chapter 13 Plan within fifteen (15) days from the entry of this Order by the Court, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$199.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within _____ days.

☐ Attorneys' fees are not awarded.

rev.1/12/22

In re:
Sean R. Dautrechy
Alyssa A. Dautrechy
Debtors

Case No. 23-21801-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: May 15, 2025

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 17, 2025:

Recip ID	Recipient Name and Address
db/jdb	+ Sean R. Dautrechy, Alyssa A. Dautrechy, 36 Bettewood Rd, Marlton, NJ 08053-2926

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 17, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 15, 2025 at the address(es) listed below:

Name	Email Address
Andrew B Finberg	on behalf of Trustee Andrew B Finberg courtmail@standingtrustee.com ecf.mail_9022@mg.bkdocs.us
Andrew B Finberg	courtmail@standingtrustee.com ecf.mail_9022@mg.bkdocs.us
Andrew L. Spivack	on behalf of Creditor DISCOVER BANK andrew.spivack@brockandscott.com wbecf@brockandscott.com
Denise E. Carlon	on behalf of Creditor DISCOVER BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Kimberly A. Wilson	on behalf of Creditor DISCOVER BANK kimberly.wilson@brockandscott.com wbecf@brockandscott.com
Laura M. Egerman	on behalf of Creditor Lakeview Loan Servicing LLC laura.egerman@mccalla.com, mccallaecf@ecf.courtdrive.com

District/off: 0312-1

User: admin

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Date Rcvd: May 15, 2025

Form ID: pdf903

Total Noticed: 1

Lee Martin Perlman

on behalf of Debtor Sean R. Dautrechy ecf@newjerseybankruptcy.com
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com

Lee Martin Perlman

on behalf of Joint Debtor Alyssa A. Dautrechy ecf@newjerseybankruptcy.com
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9